

RULES AND REGULATIONS
Arkansas State Board of Embalmers and Funeral Directors

RULE 1 - DEFINITIONS

1. **ADVERTISEMENT.** The Publication, dissemination, circulation or placing before the public, or causing directly or indirectly to be made, published, disseminated or placed before the public any announcement or statement in a newspaper, magazine, or other publication, or in the form of a book, notice, circular, pamphlet, letter, handbill, poster, bill, sign, placard, card, label, tag, or over the radio or television station.

2. **APPRENTICE.** A person who is engaged in learning the Practice of Embalming or the Business of Funeral Directing, as the case may be, under the instruction and personal supervision of a duly Licensed Embalmer or Funeral Director of the State of Arkansas, who is duly registered as such.

3. **ARRANGER.** The person or persons arranging for any type service following or in advance of a death.

4. **BAIT ADVERTISING.** Advertising a funeral, or an alternative type service, which the advertising funeral firm, in truth, does not intend to or does not wish to sell. Its purpose is to induce persons "before the time of need," or "at need," to visit or call the funeral firm, and then to sell them a higher priced service.

5. **BI-UNIT.** A method of price quotation for professional funeral services which provides a two-part price for the funeral, and is made up of two basic figures: One is the price for the professional services and the use of facilities; the other is the price for the casket selected.

6. **BOARD.** As used in these Rules and Regulations shall mean the Arkansas State Board of Embalmers and Funeral Directors or any successor thereof.

7. **CASH ADVANCES or CASH ACCOMMODATIONS.** Monies paid to outside parties by the Funeral Director or Funeral Service Firm on behalf of the arrangers.

8. **CASKET.** A container in which the dead body is placed for use in religious services or other ceremonies, transportation or final disposition; usually constructed of wood, metal, or manufactured materials such as plastic, fiberglass, chipboard, pressed paper, paperboard, or corrugated paper.

9. **COMMITTAL SERVICE.** That final rite or ceremony preceding the final disposition of the body.

10. **CREMATION or CALCINATION.** Reduction of the dead body by intense heat to residue which may include bone fragments, which may be reduced to a powdery substance.

11. **DIRECT DISPOSITION.** The disposition of the body of a dead person as quickly as the law will allow without its

preparation except when required by law and without any attendant religious services or other rites or ceremonies.

12. **DIRECT PERSONAL SUPERVISION.** During the apprenticeship period the supervisor of all embalmers and/or funeral directors must be readily accessible on the premises wherever embalming and/or funeral directing is performed.

13. **FINAL DISPOSITION.** The final placement of the body whether it be by earth interment, above ground interment, cremation, burial at sea, or by delivery to a medical institution for lawful dissection and experimentation.

14. **EMBALMER.** A person required to be licensed to practice the Science of Embalming under the laws of this State who disinfects or preserves a dead human body, entirely, or in part, by the use of chemical substances, fluids, or gases, in the body, or by introduction of same into the body by vascular or hypodermic injection, or by direct application into the organs or cavities.

15. **EMBALMING.** The art of a person disinfecting or preserving a dead human body, entirely, or in part, by the use of chemical substances, fluids, or gases, in the body, or by introduction of same into the body by vascular or hypodermic injection, or by direct application into the organs or cavities.

16. **FUNERAL DIRECTOR.** A person required to be licensed to practice the Business of Funeral Directing under the laws of this State, who meets the public, displays and sells or offers to sell funeral merchandise or supplies; who plans details of funeral services with members of the family and minister or any other person responsible for such planning, or who directs, is in charge, or apparent charge of, and supervises such service in a funeral home, church or other places; who enters into the making, negotiation or completion of financial arrangements for funerals, including, but not limited to, the sale and selection of funeral supplies, or who uses in connection with the Business of Funeral Directing the words or terms "Funeral Director", "Undertaker", "Funeral Counselor", "Mortician", or any other word, term or picture or combination thereof when considered in context in which used, from which person using such word, term or picture can be implied to be holding himself out to the public as being engaged in the Business of Funeral Directing.

17. **FUNERAL ESTABLISHMENT or FUNERAL HOME.** Every place or premise devoted to or used in the shelter, care, preparation, disposition or custody of the body or for religious services or other rites or ceremonies associated with the final disposition of human dead or maintained for the convenience and comfort of the bereaved and the community for viewing or other services in connection with the human dead, and as the office or place for carrying on the Business of Funeral Directing.

18. **FUNERAL MERCHANDISE.** That personal property used in connection with the transportation, funeralization and final disposition of a dead human body including but not limited to the receptacle into which the body is directly placed except mausoleums, crypts, interment receptacles preset in a cemetery and columbarium niches.

19. **FUNERAL SERVICE or FUNERAL.** A period following death in which there are religious services or other rites or ceremonies with the body of the deceased present.

20. **FUNERAL SERVICE FIRM or BUSINESS OF FUNERAL DIRECTING.** A person, partnership, enterprise, corporation or any other form of organization which engages in providing shelter, care, and custody of the human dead; in the practice of preparing of the human dead by embalming or other methods for burial or disposition; supervising of the funeral services, makes arrangements, financial or otherwise, for the providing of funeral services or the sale of funeral merchandise, whether for the present or future use; or, in general, engages in the practice or performs any functions of funeral directing, embalming or lawful final disposition of the dead.

21. **GRAVESIDE SERVICE.** When and where the complete funeral rites or ceremonies are conducted only at graveside. Such rite or ceremony is not what is generally construed as the committal service, which follows the funeral.

22. **IN STATE.** That period when the body is in the "Funeral Establishment", or any other place, for the purpose of a wake, visitation, or reviewal whether the "casket" or "receptacle" is open or closed and whether the wake, visitation or reviewal is public or private.

23. **INTERMENT RECEPTACLE.** An enclosure into which the casket is placed.

24. **MEMORIAL SERVICE.** A gathering of persons for a program in recognition of a death without the presence of the body of the deceased.

25. **MORTUARY SERVICE ESTABLISHMENT.** A place or premise devoted to or used in the shelter, care, custody, or preparation of the human dead, but not for the other purposes identified in the definition of a "Funeral Establishment", except at the request of and as the agent of a Licensed Funeral Establishment or its representative.

26. **MORTUARY SERVICE FIRM.** A person, partnership, enterprise, corporation or any other form of organization which engages in providing shelter, care, custody, or preparation of the human dead, or providing other services and/or funeral merchandise at the request of and as the agent of a Licensed Funeral Establishment or its representative.

27. **MULTI-UNIT.** A method of price quotation for professional funeral services which provides the prices for the various facets of the funeral according to their general

function or use, generally, including but not limited to such items as professional services, embalming, facilities, automotive equipment, casket and other merchandise as selected.

28. **SINGLE UNIT.** A method of price quotation for professional funeral services which provides a single price for the funeral including the professional services and the use of the facilities and the casket.

29. **TO MAKE ARRANGEMENTS.** Advising, counseling, and/or entering into agreements about specifics for any services in advance of or following a death.

30. **TRI-UNIT.** A method of price quotation for professional funeral services which provides a three-part price for the funeral and is made up of three basic figures; One is the price for the professional services; the second is for the use of facilities; and the third is the price of the funeral merchandise selected.

31. **ARKANSAS CODE.** Arkansas Statutes pertaining to the funeral industry.

RULE II - LICENSEE IN CHARGE OF FUNERAL DIRECTING AND EMBALMING

1. Every funeral conducted within the State of Arkansas must be under the personal supervision and direction and in charge of a Funeral Director who holds a valid license from this Board. To conduct a funeral shall require the direct personal supervision of a Licensed Funeral Director until final disposition is completed.

2. The embalming of a dead human body shall require the presence and direct personal supervision of a duly Licensed Embalmer. Duly registered Apprentice Embalmers may do embalming procedures under the direct personal supervision of a duly Licensed Embalmer.

RULE III - LICENSEE IN CHARGE OF ALL CARE AND DISPOSITION OF HUMAN DEAD

1. Any person, partnership, enterprise, corporation or any other form of organization holding themselves out to be in the business of the care and/or disposition of the human dead in this State shall be required to hold valid licenses issued by the Board and to comply with the Rules and Regulations of the Board pertaining to said care and disposition.

RULE IV - FUNERAL ESTABLISHMENTS

1. Two types of Funeral Establishment Licenses shall be issued by the Board. These Establishment Licenses shall be named as follows:

(a) FUNERAL ESTABLISHMENT Type A - FULL SERVICE FUNERAL FIRM.

(b) FUNERAL ESTABLISHMENT Type B - MORTUARY SERVICE

FIRM.

2. FUNERAL ESTABLISHMENT Type A - FULL SERVICE FUNERAL FIRMS.

(a) A license for the operation of a Funeral Establishment Type A shall be issued by the Board, if the Board finds:

(1) That the establishment is under the general management and supervision of a duly Licensed Funeral Director.

(a.) The name of the general manager of each Funeral Establishment shall be reported annually to the Board on forms provided by the Board.

(b.) If the Funeral Director serving as the general manager of a Funeral Establishment shall leave the employment of the establishment, for any reason, the establishment shall notify the Board of the management change within ten (10) working days, and of his/her successor within thirty (30) days.

(2) That all embalming performed therein is performed by or under the direct supervision of a duly Licensed Embalmer.

(3) That any place in the Funeral Establishment Type A where embalming is performed contains a preparation room with a sanitary floor, walls, and ceiling, and adequate sanitary drainage and disposal facilities including running water and complies with the sanitary standards prescribed by the Department of Health for the prevention of the spread of contagious, infectious or communicable diseases.

(4) Each Funeral Establishment Type A must have a display room and at least five (5) caskets, or there must be a branch establishment within a reasonable distance (not to exceed forty (40) miles), which is available, and does have a display room and at least five (5) caskets.

(5) When an establishment is sold or changes ownership, the license then in force and effect shall be honored, for the new owner, until that license has expired. At that time, a new license shall be issued in the name of the new establishment.

(b) The Board shall grant or deny each application for a Funeral Establishment License Type A under provisions of this section after it is filed. No applicant may operate a Funeral Establishment Type A until notification by the Secretary of the Board that a license has been or will be issued.

(c) Funeral Establishment Licenses Type A shall be issued under this section upon application and after examination of the establishment to be licensed. The application fee shall be fifty (\$50.00) dollars.

(1) Renewal of all Funeral Establishment Licenses Type A must be made on or before January 31st of each year and must be accompanied by the Annual Renewal Fee of one

hundred and fifty (\$150.00) dollars.

(2) Licenses not renewed by January 31st of any year shall be considered delinquent and may be grounds for disciplinary action by the Board.

(d) Each Funeral Establishment using an available Embalmer must file with the Board a statement signed by the Embalmer, notarized, stating that his services are available to said establishment at all times within a reasonable time after death occurs, not to exceed six (6) hours.

(e) Mobile homes, mobile units, manufactured homes, et cetera, may be granted a replacement license on a case by case basis.

(f) The Licensed Funeral Director, who manages and supervises the Funeral Establishment, may hire such employees as may be needed to assist the Funeral Director in providing the services of the Business of Funeral Directing. The Funeral Director is responsible for the supervision of all work performed by his agents and employees. License invalidation procedures may be brought against a Licensed Funeral Director and Funeral Establishment because of the acts of their agents or employees which violate Chapter 29 Arkansas Code or the Rules and Regulations of this Board.

(g) A Licensed Funeral Director or Funeral Establishment may employ or use the service of, non-licensed persons to sell pre-need, pre-arranged or pre-financed funerals and/or funeral merchandise. A Licensed Funeral Director or Funeral Establishment will be held accountable for the actions of all sales personnel. Such personnel are specifically prohibited from the following:

(1) Making misrepresentations to potential purchasers of funeral service merchandise.

(2) Placing or causing to be placed false or misleading advertising.

(3) Making false statements about Funeral Establishments, Funeral Directors, or Embalmers not associated with the establishment the personnel represent.

3. FUNERAL ESTABLISHMENTS Type B - MORTUARY SERVICE FIRMS

(a) A license for the operation of a Mortuary Service Firm, Funeral Establishment Type B, shall be issued by the Board if the Board finds:

(1) That the firm is under the general management and supervision of a duly Licensed Funeral Director and Embalmer.

(a.) The name of the general manager of the Mortuary Service Firm shall be reported annually to the Board on forms provided by the Board.

(b.) Should the general manager of the Mortuary Service Firm leave the employment of the firm during the year, for any reason, the Mortuary Service Firm shall

notify the Board of his/her leaving within ten (10) working days and of his/her replacement within thirty (30) days.

(2) That all embalming performed in the Mortuary Service Firm's establishment is performed by or under the direct supervision of a duly Licensed Embalmer.

(3) That any place in a Mortuary Service Firm where embalming is performed contains a preparation room with a sanitary floor, walls, and ceiling, and adequate sanitary drainage and all disposal facilities including running water and complies with the sanitary standards prescribed by the Department of Health for the prevention of the spread of contagious, infectious or communicable diseases.

(4) When a Mortuary Service Firm is sold or changes ownership, the license then in effect shall be honored, for the new owner, until that license has expired. At that time, a new license shall be issued in the name of the new firm if said firm complies with all applicable laws, rules and regulations.

(b) The Board shall grant or deny each application for a Mortuary Service Firm under the provisions of this section after it is filed. No applicant may operate a Mortuary Service Firm until notification by the Secretary of the Board that a license has been or will be issued.

(c) Mortuary Service Firm licenses shall be issued under this section upon application and after examination of the firm and its establishment to be licensed. The application fee shall be fifty (\$50.00) dollars.

(1) Renewal of all Mortuary Service Firm licenses must be made on or before January 31st of each year and must be accompanied by the Annual Renewal Fee of one hundred fifty (\$150.00) dollars.

(2) Licenses not renewed by January 31st of any year shall be considered delinquent and may be grounds for disciplinary action by the Board.

(d) Each Mortuary Service Firm using an available Embalmer must file with the Board a statement signed by the Embalmer, notarized, stating that his/her services are available to said firm at all times within a reasonable time after death occurs, not to exceed six (6) hours.

(e) Mobile homes or mobile units are prohibited for use as a Mortuary Service Firm's Establishment or branch thereof. No mobile home or mobile unit shall be used in the performance of any function or service of a Mortuary Service Firm, except in the case of an emergency as prescribed by the Board.

(f) The Licensed Funeral Director and Embalmer who manages and supervises the Mortuary Service Firm, may hire such employees as may be needed to assist the Funeral Director/Embalmer in providing the services of the Business of Funeral Directing/Embalming. License invalidation procedures may be brought against a Licensed Funeral Director and

Licensed Embalmer and/or a licensed Mortuary Service firm because of the acts of their agents or employees which violate Chapter 29 of the Arkansas Code, or the Rules and Regulations of this Board.

(g) A Mortuary Service Firm is prohibited from providing funeral services and/or funeral merchandise other than providing shelter, care, custody, and preparation of the human dead or any type of services including direct disposition or the practice of preparing of the human dead by embalming or other methods except at the request of and as the agent of a Licensed Funeral Establishment or its representative.

(h) A Funeral Establishment Type B - Mortuary Service Firm - shall not be required to have a selection room or display any caskets.

RULE V - QUALIFICATIONS OF APPLICANTS FOR EXAMINATION

1. Any person desiring to Practice the Science of Embalming in the State of Arkansas must be a graduate of a recognized School of Mortuary Science accredited by the American Board of Funeral Service Education, or this Board.

2. Any person desiring to engage in the Business of Funeral Directing within the state of Arkansas must be a graduate of an accredited high school. A Certificate of Equivalency issued by the Public School System or the Military Service may be accepted in lieu of a high school diploma.

3. Any person desiring to practice Embalming or desiring to engage in the Business of Funeral Directing must be of good moral character and must be at least eighteen (18) years of age.

4. Application for examination and licensure, as either an Embalmer or Funeral Director, must be made in writing, upon forms provided by the Board. Each application must be accompanied by two (2) sworn certificates from responsible persons attesting to the moral character and reputation of the applicant.

5. All applications for examination and licensure must be sworn to by the applicant before some person authorized by law to administer oaths, and must be accompanied by the application fee of one hundred (\$100.00) dollars for Embalmer examinations and one hundred (\$100.00) dollars for Funeral Director examinations. Each application must be accompanied by two (2) sworn certificates from responsible persons attesting to the moral character and reputation of the applicant.

RULE VI - APPRENTICESHIP

1. Any person desiring to engage in the Science of Embalming in this state shall, in addition to graduating from a College of Mortuary Science (Embalming) recognized by this Board, serve an apprenticeship of one (1) year in the State of

Arkansas under an Embalmer licensed by this Board, and shall assist in the preparation of at least fifty (50) bodies. This apprenticeship shall be registered with the Board, on applications provided by the Board, and individual case reports must be signed by both the apprentice and the Licensed Embalmer under whose supervision the work was done, and filed with the board by the 10th day of the following month. This apprenticeship may be served before or after attending Mortuary School, except when receiving the State Assistance Grant to attend Mortuary School, then the apprenticeship must be served prior to attending Mortuary School.

2. Any person desiring to engage in the Business of Funeral Directing in this state, shall service an apprenticeship of two (2) years in this state under a Funeral Director licensed by this Board, and shall actively assist in the conducting of fifty (50) funerals. Notice of said apprenticeship shall be recorded with the Secretary of the Board, and by the Licensed Funeral Director supervising the apprenticeship, not later than thirty (30) days after commencement of said apprenticeship. If any person is a graduate of an accredited Embalming or Funeral Directing School, and has passed both written and oral examinations given by the Board, that person shall be required to serve only one (1) year as an Apprentice Funeral Director.

3. All Funeral Director and/or Embalmer case reports must be filed in the Board Inspector's office by the 10th of the month following the month in which work was actually performed.

4. Any person who is registered as an Apprentice Embalmer and/or Funeral Director in the State of Arkansas, is required to complete this apprenticeship with three (3) years of the date of registration. If not completed within three (3) years, the apprentice may re-register for a second three (3) years. If the apprenticeship is not completed within six (6) years of the date of original registration, he or she shall not be eligible to register as an apprentice for twenty-four (24) months. After this twenty-four (24) month period, a person may register as an apprentice and begin the process from the beginning, including case reports.

5. All Funeral Director Apprentices shall perform the following duties, and register the required number of services with the Board, during his/her term of apprenticeship:

(a) Ten (10) Services - Either make the arrangements or observe the arrangements being made with the family, including the selection of merchandise.

(b) Five (5) Services - Make the church set-up and organize how family and friends are to be directed.

(c) Ten (10) Services - Direct family, or assist in doing so, at the funeral and cemetery service, and dismiss family and friends at the conclusion of the service.

(d) Five (5) Services - Be in charge of the

movement of the casket and instruct the pallbearers.

(e) Five (5) Services - Organize the funeral procession, and determine where and how parking is to be done, either chapel or church, or any other place.

(f) Five (5) Services - Arrange flowers.

(g) Five (5) Services - Direct movement of people when viewing remains, at either chapel, church or any other place.

(h) Five (5) Services - Organize "Order of Service" with minister and musicians.

6. All applicants for registration, as a Student Embalmer and Student Funeral Director, must be a graduate of an accredited high school or hold a Certificate of Equivalency.

RULE VII - EXAMINATIONS

1. Regular examinations shall be held in April and October each year.

2. Applicants for Embalmer License shall be examined on the following subjects:

- (a) Anatomy
- (b) Bacteriology
- (c) Chemistry
- (d) Pathology
- (e) Mortuary Law
- (f) Embalming
- (g) Restorative Art
- (h) Mortuary Administration
- (i) Subjects the Board deems necessary
- (j) An Oral Examination and a Practical Examination

may also be given

3. Applicants for a Funeral Director License shall be given a written and/or oral examination on the following subjects:

- (a) Arkansas Laws, Rules and Regulations
- (b) Professional Ethics
- (c) Public Health Rules and Regulations
- (d) Funeral Conduct, including Merchandising and Cost Accounting
- (e) Veterans Benefits
- (f) Social Security Benefits
- (g) Various Forms with Form Numbers
- (h) Transportation Rules and Regulations
- (i) And such other subjects the Board may deem necessary

4. (a) Applicants for a Funeral Director License shall be required to score 75 percent on both written and oral examinations in order to successfully pass that examination. Upon passing the examination, the applicant shall be entitled to receive, from the Board, a certificate to practice the Business of Funeral Directing, provided all the other

requirements have been met.

(b) Applicants for an Embalmer License shall be required to score a minimum of 75 percent on both written and oral examinations in order to successfully pass that examination. Upon passing the examination, the applicant shall be entitled to receive, from the Board, a certificate to practice the Science of Embalming, provided all the other requirements have been met.

5. An applicant who has successfully passed the National Conference Examination, given by the Conference of Funeral Service Examining Boards, Inc., of the United States, and has been certified to this Board, shall be deemed to possess a knowledge of the Science of Embalming, Sanitation and Disinfection. The written portion of the State examinations may be dispensed with, provided the application is made within one (1) year after the receipt of the National Conference Examination Certificate. Regular application must be made to this Board, oral examination must be taken, and all other requirements must be met by the applicant.

6. All questions used on examinations are the property of the Board, and must be returned by the applicants with their answers.

7. Any applicant giving assistance to another applicant or receiving assistance or found to have on his person material of any nature which, in the opinion of the Board, may be used to assist in the examination, shall forfeit the fee paid and be ejected from the examination, and shall not be entitled to any further consideration by the Board.

8. An applicant may qualify to take the Funeral Director examinations at the completion of eighteen (18) months of his/her apprenticeship or at the semi-annual meeting nearest to his/her completion of the two (2) year term requirement.

9. Graduates of an accredited Mortuary (Embalming) School shall be immediately eligible to take the Embalmer and Funeral Director Examinations.

RULE VIII - LICENSE REQUIREMENTS FOR OUT OF STATE LICENSES

Any person holding a valid, unrevoked, and unexpired license as an embalmer or funeral director in another state, U.S. Territory, or Provincial Authority, may apply for a license to practice in this state as an embalmer or funeral director, or both. Application shall be made by filing with the secretary-treasurer of the board a certified statement from the secretary of the examining board of the state, U.S. Territory or Provincial Authority in which the applicant holds his or her license showing the basis upon which the license was issued. Upon receipt of the application, the secretary of the board may issue temporary working numbers, which are valid for one year from the date of issuance. To obtain a license, the applicant shall pass an exam to prove his or her proficiency, including at least, but not limited to, a

knowledge of the laws, rules and regulations of this state pertaining to funeral service. The exam may be taken at one of the regularly scheduled exam sessions set by the board. If the board is satisfied with the proficiency of the applicant, upon receipt of the prescribed fees in 17-29-208, a license may be granted.

RULE IX - LICENSE RENEWALS AND REINSTATEMENTS

1. (a) All Embalmer and Funeral Director Licenses issued by this Board shall expire on December 31st of each year, and must be renewed on or before January 31st following the date of expiration.

(b) All Establishment Licenses expire on December 31st of each year, and must be renewed on or before January 31st following the date of expiration.

(c) Renewal fees, as provided for, must accompany each application for renewal.

(d) Every licensed Embalmer and/or funeral director who is actively engaged in the practice of embalming and/or funeral directing in Arkansas shall submit with the renewal application evidence of satisfactory completion of the hours of continuing education approved by the board.

(e) Failure to receive the renewal notice shall not relieve the licensee or establishment of the duty to pay the renewal fee as prescribed.

2. All renewals received after January 31st of each year are considered delinquent, and certificate holders are not allowed to practice the Science of Embalming or the Business of Funeral Directing, until a renewal card has been issued for the current year. A delinquent fee of fifty (\$50.00) dollars for each three (3) months, or fraction thereof, with a maximum of two (2) years, must be remitted with a renewal fee of two (2) years, which will include the year renewed. Any person in arrears more than three (3) years must make application to the Board, and appear before the Board at a regular meeting.

3. When a certified Embalmer or Funeral Director shall have failed to renew his/her certificate for a period of more than three (3) years, but who shall have practiced the Science of Embalming or the Business of Funeral Directing in a foreign State or Province, and upon satisfactory proof, and upon producing two (2) affidavits by responsible persons to that effect, may be reinstated upon payment of the specified renewal fee, to wit: A delinquent fee of fifty (\$50.00) dollars for each three (3) months, or fraction thereof, with a maximum of two (2) years, must be remitted with a renewal fee of two (2) years, which will include the year renewed. A renewal certificate, bearing the same number as the original certificate, shall be issued.

RULE X - DUPLICATE EMBALMER, FUNERAL DIRECTOR AND FUNERAL ESTABLISHMENT LICENSES

1. A charge or fee of twenty (\$20.00) dollars shall be made for the issuance of a duplicate Embalmer, Funeral Director, or Establishment License. This fee shall apply to each duplicate license issued. The original license number, date, and expiration date, along with the word "Duplicate" shall be affixed.

RULE XI - FEES

Embalmer License Renewal	\$
30.00	
Funeral Director License Renewal	
30.00	
Establishment License Renewal (Type A or B)	
150.00	
Student Embalmer Application	
50.00	
Student Funeral Director Application	
50.00	
Establishment License Application (Type A or B)	
50.00	
Reciprocal Application (Emb or FD)	
150.00	
Examination fee (Emb or FD)	
100.00	
Delinquent fee (Emb or FD) Per Quarter Year	
50.00	
Delinquent Fee (Establishment) Per Quarter Year	
50.00	
Original License (Emb or FD)	
10.00	
Original License (Establishment) Type A or B	
35.00	
Original License (Crematory)	
35.00	
Original License (Transport Service)	
35.00	
Duplicate License (Emb or FD)	
20.00	
Duplicate License (Establishment) Type A or B	
20.00	
Duplicate License (Crematory)	
20.00	
Duplicate License (Transport Service)	
20.00	
Crematory Application	
50.00	
Crematory License Renewal	
50.00	
Transport Service Application	

50.00	Transport Service License Renewal	
50.00	Delinquent Fee (Crematory) Per Quarter Year	
50.00	Delinquent Fee (Transport Service) Per Quarter Year	
50.00	Continuing Education Application Fee100.00

RULE XII - DISCLOSURE

1. All funeral merchandise shall have a visible price card. The price card shall clearly state what merchandise and/or services are included in the quoted price.

2. Every Funeral Firm and/or Funeral Director in this state shall give, or cause to be given, to the person or persons making funeral arrangements, or arranging for the disposition of a dead human body, at the time such arrangements are completed, and prior to the time of rendering the service, and/or providing the merchandise, A WRITTEN STATEMENT SHOWING TO THE EXTENT THEN KNOWN:

(a) The price of the service that the person or persons have selected and what is included therein;

(b) The price of each of the supplemental items of service and/or merchandise requested;

(c) The amount involved for each of the items for which the firm will advance monies as an accommodation to the family; and

(d) The method of payment.

3. No funeral firm shall bill or cause to be billed any item that is referred to as a "Cash Advance" or "Cash Accommodation" item unless the net amount paid for such item or items by the Funeral Firm is the same as it is billed by the Funeral Firm.

RULE XIII - AGED LICENSEES

1. The Board shall waive the renewal fee for any Funeral Director and/or Embalmer License for any licensee who has retired and whose license has been in force and effect for fifty (50) or more years on the fiftieth (50th) anniversary of that license and a Lifetime License shall be issued by the Board to that licensee.

RULE XIV - FUNERAL SERVICE PRACTICES

1. Authorization shall be obtained from the arranger(s) who will be responsible for the post death arrangements before removal of any body from the place of death, provided, however, that removal may be made without authorization where human dignity or the avoidance of a public nuisance requires.

Such removal without authorization shall be made only pending required authorization from the arranger(s) when it can be

obtained. If the Funeral Firm, to whose establishment the body was removed, is not the one subsequently selected to provide the immediate post death activities, such firm shall release the body to the firm or individual selected by the arranger(s); provided, however, that if the initial removal was at the request of a public official or the arranger(s) who later decided to employ another firm, costs incurred in the removal, shelter and temporary care of the body shall be paid by such public officials or the arranger(s). However, such payment shall not be a prerequisite to release of the body.

2. When a Funeral Establishment has proper custody of a body, its personnel shall not proceed with any of the actual embalming procedures, when there is any indication that embalming is not desired; provided, however, that washing and other public health procedures such as the closing of the orifices by placing cotton soaked in a disinfectant in such orifices until such authorization is received or refused, shall not be precluded; and further provided, that if authorization cannot be obtained or denied, from the arranger(s) within a reasonable time, then preparation of the remains by the normal and usual method of embalming, for purpose of preservation and viewing, will be assumed to be granted.

3. The personnel of a Funeral Establishment whose services are desired shall make every reasonable attempt to fulfill the needs and desires of the deceased and/or the arranger(s), both as to service and merchandise, and a full disclosure of all its available services and merchandise shall be made to the arranger(s) prior to selection of the casket and services.

4. Using any funeral merchandise previously used, in whole or in part, without prior written permission of the person selecting and/or paying for the use of the merchandise, is prohibited.

5. The following methods of price quotation for professional funeral services are permissible under these Rules:

- (a) Single Unit
- (b) Bi-Unit
- (c) Tri-Unit
- (d) Multi-Unit

Provided, however, that when using any price quotation method, as above described, full disclosure shall be made of the Cash Advances or Cash Accommodations charged by others providing services and/or merchandise.

6. Any statements of legal requirements shall be complete and factual, as shall statements as to the conditions under which embalming is required or advisable. Representations as to the use of a casket or other receptacle and the necessity, if any, of an interment receptacle in connection with a funeral or an alternative thereto or for

final disposition shall be truthful and shall disclose all legal and/or cemetery interment requirements.

7. The personnel shall explain, when such explanation is desired, the components of the prices for alternatives to a funeral such as the following:

- (a) Memorial Service
- (b) Graveside Service
- (c) A Direct Disposition
- (d) Body donation without any rites or ceremonies, prior to the delivery of the body, and prices of services if there is to be such after the residue has been removed following use thereof.

8. Each Funeral Establishment which has a casket selection room shall have a card or brochure in each casket therein setting forth the price of the service using said casket and listing the services and other merchandise included in the price, if any. Where there are separate prices for the casket and/or services, and/or the use of facilities and/or equipment, such card should indicate the price of the casket and of the items separately priced. The price of the casket only may be displayed on such card in the casket, if all other separately priced items are provided in writing prior to the selection of the casket; provided, however, that such price be accompanied by language that the price quoted is for the casket only.

9. Funeral Service Firms are required to make reasonable adjustments in their price when less than the quoted offering is utilized.

10. When death occurs in a place other than where the funeral or other services or final disposition are to take place, and the services of two Funeral Firms are necessary, the Funeral Firm engaged at the place of death shall charge only for the professional services, facilities and merchandise provided, and a representative thereof shall so notify the Funeral Firm to which the body will be forwarded. The receiving Funeral Firm shall charge only for the professional services, facilities and merchandise provided by it. There shall be a duplication of charges by the forwarding and receiving Funeral Firms ONLY when there is a duplication of professional services, facilities or merchandise pursuant to the request of the arranger(s).

11. Every Funeral Firm shall have available to the public, before and at the time of need, factual information about immediate post death activities, including funeral prices, alternative types of services and their prices. Such information shall include the functions, services and responsibilities of the Funeral Service Firm.

12. In an advertisement, whenever references are made to a service available, such as "a funeral", "complete funeral", "complete service", "Memorial Service", or "direct disposition", factual information also shall be given as to

professional services, facilities, equipment, merchandise and miscellaneous items including in said terminology and regularly obtainable from the firm(s) named in the advertisement.

13. No Funeral Service Firm shall employ any form of "bait advertising", as described in this rule.

14. Any advertisement to offer to provide a service at a stipulated price shall be made in good faith, and

(a) The merchandise to be used in the service shall be a part of the regular merchandise displayed by or for the Funeral Service Firm; and

(b) The desirability of such offer shall not be disparaged or otherwise discouraged.

15. No principal, employee, or agent of a Funeral Service Firm will make inaccurate statements concerning the prices charged or nature of services provided by other Funeral Service Firms.

RULE XV - COMPLAINTS

1. All complaints shall be filed with the Secretary of the Board on forms provided by the Board.

2. A copy of that complaint will be sent to the licensee or party against whom the complaint has been lodged.

3. The licensee or other party is to be given fifteen (15) days to respond, in writing, on forms provided by the Board, to the allegations of the complainant.

4. All complaints and responses shall be signed and notarized.

5. The Secretary will review the complaint and response to determine if further investigation is warranted. The Secretary may direct the Board Inspector to obtain statements or other information.

6. The complaint, response, and other information, if any, will be forwarded to the Board Legal Counsel, the Arkansas Attorney General, and Board Members for review.

7. The Board will review the relevant documentation to determine whether official action will be taken.

8. If the Board finds there is reasonable grounds for belief the licensee is guilty of violation of Chapter 29, Arkansas Code, or the Rules and Regulations, then the Board will cause the Secretary to issue order and notice of hearing, which will be served on the licensee or other party by Certified Mail. This notice will contain all the information required by the Administrative Procedures Act.

9. The Secretary shall give twenty (20) days written notice to the complainant of the time and place of the hearing.

10. The hearing will be conducted by the President of the Board, in accordance with the Administrative Procedures Act. At all hearings, the Board will be provided the legal counsel or the Arkansas Attorney General's Office.

RULE XVI - PARLIAMENTARY PROCEDURES

1. ROBERT'S RULES OF ORDER is adopted as the Official Parliamentary Manual, and the rules contained therein shall govern the Arkansas State Board of Embalmers and Funeral Directors in all cases to which they are applicable and which do not conflict with State Statutes and the Rules and Regulations of this Board.